

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

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IRWINA. POPOWSKY  
Consumer Advocate

July 7, 2009

James J. McNulty  
Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

RE: Petition of PECO Energy Company for  
Approval of Its Act 129 Energy Efficiency  
and Conservation Plan and Expedited  
Approval of its Compact Fluorescent Lamp  
Program  
Docket No. M-2009-2093215

Dear Secretary McNulty:

Enclosed for filing is the Notice of Intervention and Public Statement of the Office of  
Consumer Advocate, in the above-referenced proceeding.

Copies have been served as indicated on the enclosed Certificate of Service.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Jennady S. Johnson".

Jennady S. Johnson  
Assistant Consumer Advocate  
PA Attorney I.D. # 203098

Enclosures

cc: Honorable Marlane R. Chestnut  
Office of Special Assistants

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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of PECO Energy Company	:	
for Approval of Its Act 129 Energy	:	
Efficiency and Conservation Plan and	:	Docket No. M-2009-2093215
Expedited Approval of its Compact	:	
Fluorescent Lamp Program	:	

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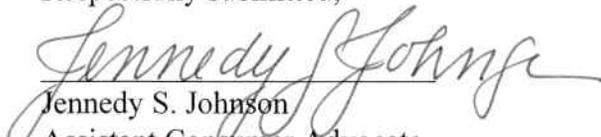
NOTICE OF INTERVENTION

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Pursuant to 52 Pa. Code Sections 5.71-74, the Office of Consumer Advocate hereby gives Notice of Intervention in the above-captioned proceeding. A copy of all correspondence and notices, documents, orders or other communications with respect to the above-captioned proceeding should be addressed to the following:

Jennedy S. Johnson  
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Respectfully submitted,

  
Jennedy S. Johnson  
Assistant Consumer Advocate  
PA Attorney I.D. # 203098

DATED: July 7, 2009  
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PUBLIC STATEMENT OF THE  
OFFICE OF CONSUMER ADVOCATE  
PURSUANT TO 71 P.S. SECTION 309-4(e)

Act 161 of the Pennsylvania General Assembly, 71 P.S. Section 309-2, as enacted July 9, 1976, authorizes the Consumer Advocate to represent the interests of consumers before the Pennsylvania Public Utility Commission (PUC or Commission). In accordance with Act 161, and for the following reasons, the Consumer Advocate determined to intervene and participate in the Petition of PECO Energy Company for Approval of its Act 129 Energy Efficiency and Conservation Plan and Expedited Approval of its Compact Fluorescent Lamp Program before the Commission.

On July 1, 2009, PECO Energy Company (PECO or Company) filed its Petition and Energy Efficiency and Conservation Plan (Plan) with the Pennsylvania Public Utility Commission (Commission) pursuant to Section 2806.1 of the Public Utility Code and pursuant to the Implementation Order entered by the Commission at Docket No. M-2008-2069887 on January 16, 2009. Petition at 1. PECO requests that the Commission approve its Plan, including cost recovery via a surcharge, and grant expedited approval of its proposed Compact Fluorescent Lamp (CFL) program. *Id.* The Company plans to reduce annual energy consumption by nearly 1.3 million MWh by May 31, 2013 by implementing eighteen programs, ten oriented towards energy efficiency savings and eight directed toward demand reduction. Petition at 2, 6. Specifically, the Company has proposed the following eight programs for its residential class: (1) CFL Program, (2) Low-Income Energy Efficiency Program, (3) Whole Home Performance Program, (4) Home Energy Incentives Program, (5) Residential New Construction Program, (6) Appliance Pickup Program, (7) Residential Direct Load Control Program, and (8) Residential Super Peak Time of Use Program. *Id.* at 7-8.

The Consumer Advocate determined to intervene in this proceeding to protect the interests of PECO's customers; to ensure that the proposed Plan and programs are in accordance with Act 129 and all other applicable statutes, regulations, and case law; and to ensure that any increase in rates

resulting from the adoption of the proposed programs and any related expenses are just and reasonable.

The OCA intends to review several areas of PECO's proposed plan including the design of the proposed programs; the cost effectiveness of the proposed programs and plan; and the Company's proposed cost recovery mechanisms. The OCA will seek to ensure that any costs that are sought to be recovered are consistent with Commission regulations, statutes and applicable case law and result in rates that are just and reasonable.

CERTIFICATE OF SERVICE

Petition of PECO Energy Company :  
for Approval of Its Act 129 Energy :  
Efficiency and Conservation Plan and : Docket No. M-2009-2093215  
Expedited Approval of its Compact :  
Fluorescent Lamp Program :

I hereby certify that I have this day served a true copy of the foregoing document, Notice of Intervention and Public Statement of the Office of Consumer Advocate, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code Section 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 7<sup>th</sup> day July 2009.

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